

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

United States of America

v.

Nicole Leedy

Criminal No. 3:15-cr-00307-M


3:15-cr-307

MOTION IN RESPONSE TO GOVERNMENTS OBJECTION FOR RULE 36

Comes now Nicole Leedy in response to governments objection to her motion to correct clerical error Rule 36. Defendant argues and it is clear she does not seek time from 2008 conviction to be added to the current sentence. Defendant in the above case seeks what she understood the judge at sentence impose a concurrent sentence with time served from the date of incarceration for the new charges, cases 2015-cr-8834 and 2015-cr-2035, where she was incarcerated on the revocation of parole case number 2008-cr-11402. Defendant agrees that she has completed with the correct time served from July 8, 2015 until now 64 months of her sentence. Defendant's indictment for the federal case listed above was issued on July 8, 2015 and since she was being held in state custody waiting sentence for the federal government she seeks that time toward her federal sentence. Defendant has spoken to case manager and case manager replied with the judgment does not indicate time served for time in state custody. Therefore Defendant moves this Honorable court to include time spent in state custody from July 8, 2015 until April 8, 2019 when defendant was transferred to federal custody. BOP is not crediting defendant time from July 8, 2015-April 8, 2019 when she arrived at FBOP Aliceville. Therefore, Defendant respectfully request this court clarify its judgment to include time served from the dates listed above.

WHEREFORE, defendant prays this court grant her relief sought in the above motion and correct the judgment and forward it to BOP so BOP can correct her date.

RESPECTFULLY submitted this 6th day of November, 2020.


Nicole Leedy#
SPC ALICEVILLE
P.O. Box 487
Aliceville, AL. 35442

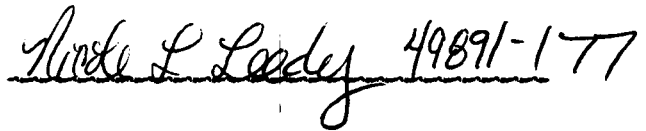
CERTIFICATE OF SERVICE

This is to certify, under penalty of perjury under the laws of the United States of America pursuant to 28 U.S.C. §1746, that I served a true and correct copy of the following to:

US District Court -Clerk
1100 Commerce St.
Dallas TX 75242

US Attorney
1100 Commerce St.
Dallas TX 75242

upon the following addresses by placing it in a sealed envelope, bearing sufficient postage for delivery via USPS and deposited it in the postal box provided for inmates on the grounds of SPC Aliceville on this 6th day of November, 2020.



Litigation is deemed FILED at the time it was delivered to prison authorities. See Houston v. Lack.

RECEIVED

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Dear Judge Barbara Lynn,

I am putting in a motion to your court, Rule 36, to correct my sentence calculation. The BOP does not want to grant me the time you ordered to be ran concurrent which turns my 16 year federal sentence into a 20 year federal sentence. I am hoping you can help correct this error with a specific order or judgment, so I can at least be credited from the time I was sentenced, August 12th 2010. Thank you for your time and consideration.

Respectfully,

Nicole Leedy
49891-170

